

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLYLE AVIATION MANAGEMENT LIMITED, et al.

Plaintiffs,

-v-

FRONTIER AIRLINES, INC.,

Defendant.

23 Civ. 4774 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

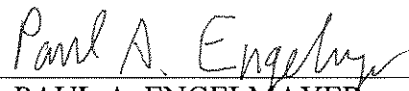
On August 16, 2023, plaintiffs filed a motion to dismiss defendant's counterclaims under Rule 12 of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), defendant has 21 days after the service of a motion under Rule 12(b) to amend once as a matter of course.

Accordingly, it is hereby ORDERED that defendant shall file any amended counterclaims by September 6, 2023. No further opportunities to amend will ordinarily be granted. If defendant does amend, plaintiffs shall, by September 27, 2023: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying defendant, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended pleading is filed, defendant shall serve any opposition to the motion to dismiss by September 20, 2023. Defendants' reply, if any, shall be served by September 27, 2023. At the time any reply is served, the moving party shall supply the Court with two (2) courtesy copies of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

¹ If plaintiffs file a new motion to dismiss or rely on their previous motion, defendant's opposition will be due 14 days thereafter, and plaintiffs' reply, if any, will be due seven days after that.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer", is written over a horizontal line.

PAUL A. ENGELMAYER
United States District Judge

Dated: August 17, 2023
New York, New York